



General Assembly

Substitute Bill No. 5823

January Session, 2019



AN ACT CONCERNING CAMPAIGN CONSULTANTS AND USE OF FUNDS UNDER THE CITIZENS' ELECTION PROGRAM.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 9-703 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2019*):

3 (a) Each candidate for nomination or election to the office of state
4 senator or state representative in 2008, or thereafter, or the office of
5 Governor, Lieutenant Governor, Attorney General, State Comptroller,
6 Secretary of the State or State Treasurer in 2010, or thereafter, shall file
7 an affidavit with the State Elections Enforcement Commission. The
8 affidavit shall include a written certification that the candidate either
9 intends to abide by the expenditure limits under the Citizens' Election
10 Program set forth in subsection (c) of section 9-702, or does not intend
11 to abide by [said] such limits. If the candidate intends to abide by
12 [said] such limits, the affidavit shall also include written certifications
13 (1) that the treasurer of the candidate committee for said candidate
14 shall expend any moneys received from the Citizens' Election Fund in
15 accordance with the provisions of subsection (g) of section 9-607 and
16 regulations adopted by the State Elections Enforcement Commission
17 under subsection (e) of section 9-706, (2) that the candidate shall repay
18 to the fund any such moneys that are not expended in accordance with
19 subsection (g) of section 9-607 and said regulations, (3) that the

20 candidate and the treasurer shall comply with the provisions of
21 subdivision (1) of subsection (a) of section 9-711, and (4) stating the
22 candidate's status as a major party, minor party or petitioning party
23 candidate and, in the case of a major party or minor party candidate,
24 the name of such party. The written certification described in
25 subdivision (3) of this subsection shall be made by both the candidate
26 and the treasurer of the candidate committee for said candidate. A
27 candidate for nomination or election to any such office shall file such
28 affidavit not later than four o'clock p.m. on the twenty-fifth day before
29 the day of a primary, if applicable, or on the fortieth day before the day
30 of the election for such office, except that in the case of a special
31 election for the office of state senator or state representative, the
32 candidate shall file such affidavit not later than four o'clock p.m. on the
33 twenty-fifth day before the day of such special election.
34 Notwithstanding the provisions of this subsection, a candidate who is
35 not required to form a candidate committee pursuant to subdivision
36 (3) or (4) of subsection (b) of section 9-604, files a certification with the
37 commission pursuant to subsection (c) of section 9-603 and does not
38 intend to participate in the Citizens' Election Program shall not be
39 required to file such affidavit of intent not to abide by the expenditure
40 limits of said program. Any such candidate shall be referred to as a
41 nonparticipating candidate, in accordance with subsection (b) of this
42 section.

43 (b) A candidate who so certifies the candidate's intent to abide by
44 the expenditure limits under the Citizens' Election Program set forth in
45 subsection (c) of section 9-702 shall be referred to in sections 9-700 to 9-
46 716, inclusive, as a "participating candidate" and a candidate who so
47 certifies the candidate's intent to not abide by [said] such limits shall be
48 referred to in sections 9-700 to 9-716, inclusive, as a "nonparticipating
49 candidate". The commission shall prepare a list of the participating
50 candidates and a list of the nonparticipating candidates and shall make
51 such lists available for public inspection.

52 (c) A participating candidate may withdraw from participation in

53 the Citizens' Election Program before applying for an initial grant
 54 under section 9-706, by filing an affidavit with the State Elections
 55 Enforcement Commission, which includes a written certification of
 56 such withdrawal. A candidate who files such an affidavit shall be
 57 deemed to be a nonparticipating candidate for the purposes of sections
 58 9-700 to 9-716, inclusive, and shall not be penalized for such
 59 withdrawal. No participating candidate shall withdraw from
 60 participation in the Citizens' Election Program after applying for an
 61 initial grant under section 9-706.

62 (d) If the treasurer of the candidate committee of a participating
 63 candidate spends fifteen per cent or more, in the aggregate, of the
 64 moneys received from the Citizens' Election Fund on the campaign or
 65 committee services of a consultant or other professional person as
 66 provided in subparagraph (P) of subdivision (2) of subsection (g) of
 67 section 9-607, such consultant or other professional person shall
 68 register with the State Elections Enforcement Commission as such for
 69 such candidate committee and file an affidavit with the commission,
 70 which affidavit shall include a written certification that such
 71 consultant or professional person also intends to abide by the
 72 expenditure limits under the Citizens' Election Program set forth in
 73 subsection (c) of section 9-702. The commission shall prepare a list of
 74 each such consultant or professional person for the candidate
 75 committee of a participating candidate and shall make such list
 76 available for public inspection.

This act shall take effect as follows and shall amend the following sections:

Section 1	October 1, 2019	9-703
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Statement of Legislative Commissioners:

In Section 1, "said limits" was changed to "[said] such limits" for consistency and "or professional person" was inserted after "consultant" for accuracy.

GAE *Joint Favorable Subst. -LCO*